

770-101

A/FWC

71531 U.S. PTO



06/06/97

File Wrapper Continuation
Application Transmittal Form
37 C.F.R. 1.62

69481 U.S. PTO
08/870585



06/06/97

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. SLD 2 035-3-3-1
Anticipated Classification
of this application:
Class Subclass
Prior application:
Examiner: M. Graham
Art Unit: 3304

Assistant Commissioner
for Patents
Box FWC
Washington, D.C. 20231

Sir:

This is a request for filing a file wrapper continuation application under 37 C.F.R. 1.62, of pending prior application serial no. 08/556,237 filed on November 9, 1995 of Michael J. Sullivan for Improved Multi-Layer Golf Ball. (There has been no amendment of the title or the named applicants.)

1. xxx The above identified application in which no payment of issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.
2. A verified statement to establish small entity status under 37 C.F.R. 2.9 and 1.27 is enclosed was filed in the prior application and such status is still proper and desired (37 C.F.R. 1.28(a)).
3. xxx The filing fee is calculated below.

"Express Mail" Mailing Label Number EM217532984US
Date of Deposit June 6, 1997
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Trademarks
2900 Crystal Drive, Arlington, VA 22202-3513.
Christina Calabrese
(TYPED OR PRINTED NAME OF SENDER)
Christina Calabrese
(SIGNATURE)

GP 3304
70
EOT

CLAIMS AS FILED IN THE PRIOR APPLICATION
LESS ANY CLAIMS CANCELLED BY AMENDMENT BELOW

Basic Fee	Small Entity	\$385.00	\$ 770.00
	Large Entity	\$770.00	
Total claims	8 -20 = 0	x \$11.00 x \$22.00	\$ 0.00
Indep.claims	3 - 3 = 0	x \$40.00 x \$80.00	\$ 0.00

Total fee \$ 770.00

4. xxx The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. 06-0308. A duplicate copy of this sheet is enclosed.
5. xxx A check in the amount of \$770.00 is enclosed.
6. xxx Amend the specification by inserting before the first line the sentence: -- This is a continuation of application serial no. 08/556,237, filed November 9, 1995, which, in turn, is a continuation in part of an application filed on October 13, 1995, which, in turn, is a continuation in part of serial no. 08/070,510, filed June 1, 1993. --
7. Priority of application serial no. filed on in is claimed under 35 U.S.C. §119.

 The certified copy has been filed in prior application serial no. , filed .
8. xxx The prior application is assigned of record to Lisco, Inc.
9. xxx The power of attorney in the prior application is to Christopher B. Fagan, Reg. No. 22,987
Richard M. Klein, Reg No. 33,000;
- a. xxx The power appears in the original papers in the prior application.

b. _____ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. xxx Address all future communications to

Christopher B. Fagan
FAY, SHARPE, BEALL, FAGAN,
MINNICH & MCKEE
1100 Superior Avenue
Suite 700
Cleveland, Ohio 44114-2518
(216) 861-5582

10. xxx A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.

11. xxx A Request for a 3-Month Extension of Time and fee are being filed herewith by Express Mail to extend the term in the pending prior U.S. Application Serial No. 08/556,237 until June 6, 1997.

12. xxx Please abandon prior the application when the petition for extension of time in that application is granted and when this application is granted a filing date so as to make this application copending with said prior application.

The undersigned declare further that all statements made herein of his or her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

6/6/97
Date

Richard M. Klein

Address of Signator:
FAY, SHARPE, BEALL, FAGAN,
MINNICH & MCKEE
1100 Superior Avenue
Suite 700
Cleveland, Ohio 44114
(216) 861-5582

Reg. No. 33,000
Richard M. Klein
Attorney of Record

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Sullivan et al.
FOR : IMPROVED MULTI-LAYER GOLF BALL
SERIAL NO. :
FILED : Herewith
ATTORNEY DOCKET NO. : P-3724-2/SLD 2 035-3-3-1

Cleveland, Ohio 44114-2518
June 6, 1997

Assistant Commissioner
of Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Dear Sir:

In reply to the Office Action (Final) of December 6, 1996,
kindly amend the application as follows:

In The Claims:

2. Amended. A golf ball according to claim 1, wherein
the inner cover layer has a thickness of about 0.100 to about
0.010 inches and the outer cover layer has a thickness of about
0.010 to about 0.70 inches, the golf ball having the properties
required by the U.S.G.A. and having an overall diameter of 1.680
inches or more.

3. Amended. A golf ball according to Claim 1 wherein the inner cover layer has a thickness of about 0.050 inches and the outer cover layer has a thickness of about 0.055 inches, the golf ball having the properties required by the U.S.G.A. and having an overall diameter of 1.680 inches or more.

Remarks

The Examiner's comments set forth in the Office Action of December 6, 1996 have been considered in detail. In response to the Examiner's assertion that Claims 2 and 3 fail to require the ball to meet U.S.G.A. standards, these claims have been amended appropriately. Claims 2 and 3 (as amended) now specifically require the claimed ball to meet the parameters set forth by the U.S.G.A. standards, i.e. must be a regulation ball. In view of these amendments, it is respectfully submitted that Claims 2 and 3 are in condition for allowance. If the Examiner's concurs, dependent Claims 2 and 3 will be rewritten and placed in independent form.

Respectfully submitted,

FAY, SHARPE, BEALL, FAGAN,
MINNICH & MCKEE

6/6/97
Date

Richard M. Klein
Richard M. Klein
Reg. No. 33,000
1100 Superior Avenue
Suite 700
Cleveland, OH 44114-2518
(216) 861-5582

CERTIFICATE OF MAILING

I hereby certify that this PRELIMINARY AMENDMENT is being deposited with the United States Postal Service as express mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D. C., 20231, on this 6th day of June, 1997.

By: Christina Calabrese